

Minutes of the Veneta City Council

March 12, 2012

Present: Mayor Sharon Hobart, Brittany Boothe, Thomas Cotter, Marion Esty, and Sandra Larson

Others: Ric Ingham, City Administrator; Brian Issa, Community Services Director; Kyle Schauer, Public Works Superintendent; Chris Workman, City Recorder/Human Resources and Risk Management Administrator; Kay Bork, Associate Planner; Darci Henneman, Assistant City Recorder; Nicholas Beatty, Elmira Louie, Pony Gilbert, and Michelle Ossowski, Fern Ridge Review

Mayor Hobart called the Veneta City Council to order at 7:00 p.m.

Mayor Hobart welcomed two Elmira High School Leadership students attending tonight's meeting and asked them to introduce themselves.

Nicholas Beatty introduced himself and said he was a junior at Elmira High School and is a member of the Leadership Class. He said he also worked at the Veneta Community Pool last summer.

Elmira Louie introduced herself. She is the Freshman Class President at Elmira High School. She too is in the Leadership Class and is attending tonight's meeting to learn about local government.

1. PUBLIC COMMENT

Pony Gilbert, 87827 Territorial Rd., Veneta, OR

Mr. Gilbert said he is frustrated with City Administration. He said back in April 2010 he made a written request for clarification of actions taken by the City Administration regarding his business, but is still frustrated by not getting a satisfactory conclusion to his request for written clarification. He asked that the Council members please look at all the documentation at City Hall and what he has collected over the last two years and come to its own conclusion of whether or not this process is satisfactory to the Council – how the local government deals with local businesses.

Mayor Hobart suggested staff provide a staff report outlining the specifics of the issue.

Ric said the Council can request staff to provide copies of all the correspondence starting with Mr. Gilbert's initial records request. He said the materials can be provided prior to the next Council meeting or as part of the next Council packet.

Mayor Hobart felt it wouldn't be an appropriate agenda item and suggested a work session.

Sandra Larson clarified Ric's suggestion that the materials be sent prior to the next Council meeting packet and the Council members would address it independently at the next meeting and at that point maybe there would be a Council consensus.

Mr. Gilbert said he has some information that may not be available at City Hall and, at the Council's convenience, he would like to provide that documentation that he has that may not exist in the public record.

Sandra Larson said Council members home addresses are public information and asked if laws exist that would prevent Mr. Gilbert from sending information to their home addresses.

Mayor Hobart said it depends on whether or not the Council makes a decision.

After a brief discussion, it was the consent of the Council to direct Mr. Gilbert to provide City Recorder, Chris Workman with all the information he had and staff would package it and send copies to the Council.

2. CONSENT AGENDA

MOTION: Thomas Cotter made a motion to approve the consent agenda as presented.
Marion Esty seconded the motion.

Vote: Marion Esty, aye; Thomas Cotter, aye; Mayor Hobart, aye; Sandra Larson, aye; and Brittany Boothe, aye.

The consent agenda as approved included City Council Minutes for February 13, 2012.

3. DEPARTMENT REPORTS

a. FROM MAYOR/COUNCILORS

Marion Esty said LCOG is conducting a public hearing on Thursday, March 15th for planning and budgeting projects for Senior and Disabled Services.

Mayor Hobart said the candidates for the new LCOG Executive Director will soon be narrowed down to the top six. She attended two meetings this week. She said interviews will begin soon with an appointment hopefully in June. She also talked about the wonderful article in the Fern Ridge Review that Michelle Ossowski wrote about the Fern Ridge Education Foundation. She and Sandra Larson attended the meeting. She is very excited about the opportunity this will bring to local students and she felt this is exactly what our community needs.

Sandra Larson said the Fern Ridge Kiwanis and Applegate Pioneer Museum are on board to participate with the 50th Birthday party celebration. She and Chris Workman will visit the Fern Ridge Rotary and Chamber of Commerce. The photo contest guidelines are posted on the City's website. She attended the recent Fern Ridge Community Action Network (CAN) meeting. They will continue to involve all three Ford Family Foundation cohorts and will continue to focus on updates to the community directory and its distribution. They would also like to get the directory and the community calendar aligned in some way so people can reference either source of information. She said the High School and Veneta Elementary won the Oregon Battle of the Book (OBOB) competition and the Fern Ridge Middle School attended the semi-finals.

Brittany Boothe attended the March Park Board meeting. There are still two vacancies on the Park Board. Barbara Nelson was elected Park Board Chair and Dennis Paronto will continue as Vice Chair. The Easter Egg Hunt is progressing nicely and they discussed final preparations for the Earth/Arbor Day celebration which will be in collaboration with Veneta Elementary. The Park Board agreed to participate in the 50th Birthday party celebration but they're not sure exactly what they will do. Park Board members will present their draft goals and work plan to the Council at the March 26th meeting.

4. STAFF REPORTS

- a. Community Services Director.....Brian Issa**
(1) East Hunter Sewer Extension Agreements

Brian said since the installation of a sewer main in East Hunter Rd. in 2003, and based on Veneta Municipal Code (VMC), nine properties along that stretch were required to connect to the sewer main. The City had two objectives with regard to the City's sewer hook up policy, (1) to connect properties to sewer in advance of road improvements in order to avoid future

cuts in the new road surface, and (2) to remove potential sources of groundwater contamination as required by state law.

To date, after receiving multiple notifications over several years (which more than satisfy the requirements of VMC section 13.10.660) two properties have failed to connect. Staff previously brought to the Council the idea of offering the two property owners a one-year extension agreement in exchange for allowing the City to complete the connection and lien the property if the work is not completed within that year. Staff has worked with the property owners and received verbal commitments to sign the agreement. This approach would alleviate the immediate financial burden to the property owners while ensuring that the connection will be completed within the next two years. Brian provided the Council members with the agreement drafted by legal counsel and also reviewed a few minor changes.

In response to questions from Thomas Cotter, Brian said the property owners will have a full year to complete the hook up. If the one year extension expires, the City would move forward to include the cost of the hook up in the upcoming budget year. He said because the cost of the hook up would be expenditure without a revenue source, the City would essentially be funding the hook up and would only re-coop the costs when the property is sold and the lien is satisfied. Brian said both property owners understand entering into the agreement would allow the City to connect their homes to City services after the one year extension expired, and in turn the City would place a lien on the property for all costs associated with the hook up.

In response to a question from Sandra Larson, Brian said Shauna indicated the interest rate would be 10%, which is in line with the interest rate charged to property owners that recently connected to the Bolton Hill Rd. LID.

In response to a question from Sandra Larson, Ric said a change of ownership on the two properties would require the City lien to be satisfied.

Brian said the mechanics of this process are a little different from an LID.

Ric said for the last 10 years the City has been requesting these properties hook up to City services and abandon their septic systems. He said the City would rather not spend a year of attorney time to legally get access to complete the hook up and decommission their septic systems plus issue fines for not hooking up. Hopefully taking this route will create a broader understanding of the process, but if not, the City will have the legal right to go in and get the work done or hire a contractor to complete the work.

MOTION: Thomas Cotter made a motion to approve staff moving forward with execution the Extension Agreement. Marion Esty seconded the motion which passed with a vote of 5-0.

- b. Associate Planner.....Kay Bork
(1) Award of Fern Ridge Service Center Architectural Agreement

Staff is asking Council to authorize the City Administrator to proceed with contract negotiations and sign the contract with Scott Edwards Architecture for architectural and engineering services for Phase II of the Fern Ridge Service Center project, for an amount not to exceed \$144,000 and subject to legal counsel review.

The 2009 contract signed with Scott Edwards included a provision that stated the City would continue with that firm for Phase II if the City was satisfied with Phase I work. Public

Contracting Law, as amended in 2012, required the City to issue a Request for Proposal (RFP) for Phase II – final design and construction management.

On February 15, 2012, the City published the RFP in the Fern Ridge Review which received only one proposal.

Ric said Scott Edwards will meet with the steering committee and other stakeholders three or four times and as the project progresses; he will meet with Council members or we can hold a community meeting. At this point, unless Mr. Scott hears different from the steering committee and stakeholders, he will continue to follow the projected timeline. The steering committee and stakeholders drive the process.

Mayor Hobart said it seemed the direction we're heading is on target.

Ric said staff would like to be breaking ground in August or September and hopefully the structure can be framed and roofed prior to winter setting in.

In response to a question from Thomas Cotter, Kay said only one response to the RFP was submitted to the City.

Ric said it is very common to continue with the same architect that provided the preliminary engineering. Had staff been informed of the amendment to the Public Contracting Law, a direct award to Scott Edwards Architecture would have been made.

MOTION: Thomas Cotter made a motion to authorize the City Administrator to proceed with contract negotiations and enter into a contract with Scott Edwards Architecture for Architecture and Engineering Services for Phase II of the Fern Ridge Service Center project, for an amount not to exceed \$144,000 subject to City Attorney review and approval. Marion Esty seconded the motion which passed with a vote of 5-0.

5. OTHER

Ric said staff has noticed a significant increase of heavy truck traffic on Eighth St. Street improvements to Eighth St. are included in the Capital Improvement Projects (CIP) but the City would like to see more properties along Eighth St. hook up to City services before those improvements are made. Staff has researched restricting truck traffic on Eighth St.

Kyle said after checking with ODOT, it was determined that it's the City's prerogative to determine whether truck traffic should be restricted. He said the recent heavy truck traffic is deteriorating the road rapidly.

In response to questions from Mayor Hobart, Kyle said truck traffic can be restricted by the weight or size of the truck. He said staff is seeing heavily loaded dump trucks, log trucks, and occasional waste trucks from the disposal site. It's not specific to one kind of truck or trucking company. Kyle said if the Council determines this is worth pursuing, he will pull the details together and staff will start working through several aspects of it – in particular a way to enforce it.

Ric said ideally trucks coming down Bolton Hill Rd. should continue to Territorial Rd. and then to Highway 126. The street improvements on Bolton Hill Rd. meet the requirements for heavy truck traffic.

In response to a question from Mayor Hobart, Ric said Perkins Rd., East Bolton, and Eighth St. are due for street improvements but they all have several residents that are not hooked up to City

services.

Kyle said a sewer LID will be required for a small portion of residents on Eighth St. in order to connect them to City services.

Ric said a sewer LID will also be needed for homes at McCutcheon and Eighth St. prior to any street improvements. He said street improvements to Eighth St. will likely be done after improvements are completed on East Bolton Rd. and Perkins Rd.

In response to a question from Thomas Cotter, Ric said Teresa has pulled various City codes that restrict heavy truck traffic by weight per number of axles. He said the road surface at the intersection of Eighth St. and McCutcheon is breaking down.

Brittany Boothe said its worth pursuing if the street improvements are several years off. She felt there are also some safety concerns because there are no sidewalks for pedestrian traffic to and from Fern Park.

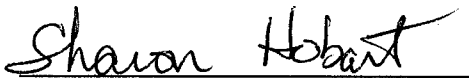
It was the consensus of the Council to direct staff to pursue restricting truck traffic on Eighth St.

Kyle said he would provide Council members with an update at a future meeting.

In response to a comment from Thomas Cotter, Mayor Hobart provided some clarifications for the Leadership Class students: "LCOG" is an acronym for Lane Council of Governments, which is a regional organization dealing with planning and social issues, and "LID" is an acronym for local Improvement District.

6. ADJOURN

Mayor Hobart adjourned the Veneta City Council at 7:40 p.m.


Sharon Hobart, Mayor

ATTEST:


Darci Henneman, Assistant City Recorder
(minutes prepared by Dhenneman)\